

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION**

**FLOYD HOBBS, JR.  
and CYNTHIA BEVINGTON**

**PLAINTIFFS**

**VS.**

**CIVIL ACTION NO. 3:09cv009-SA-DAS**

**LEGG MASON INVESTMENT COUNSEL,  
LLC & LEGG MASON INVESTMENT**

**DEFENDANTS**

**ORDER SUBSTITUTING PARTY DEFENDANT**

THIS CAUSE is before the Court on plaintiffs' Motion to Substitute Party Defendant [Doc. 7] requesting that Legg Mason Investment Counsel & Trust Co., N.A. be substituted as defendant herein in the place and stead of Legg Mason Investment Counsel, LLC ("LMIC") and Legg Mason Investment Trust, Inc. ("LMIT"), and that the claims against LMIC and LMIT be dismissed without prejudice.

Being fully advised in the premises and that the parties are in agreement as to this substitution, the Court finds that the request is well-taken and

**IT IS ORDERED:**

- (1) That Legg Mason Investment Counsel & Trust Co., N.A. be, and it is hereby, substituted as defendant herein in the place and stead of LMIC and LMIT, and that the claims against LMIC and LMIT be, and they are hereby, dismissed without prejudice and LMIC and LMIT are discharged herefrom, and
- (2) That the style of this case shall show Legg Mason Investment Counsel & Trust Co., N.A. as the defendant.

**SO ORDERED**, this the 2nd day of March, 2009.

/s/ Sharion Aycock  
UNITED STATES DISTRICT JUDGE